

JUDG

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

11 JAMES McGIBNEY) Case No.: A-12-667156-C
12 Plaintiff,) Dept. No.: XXIV
13 vs.) **JUDGMENT**
14)
15 HUNTER MOORE,)
16 Defendant.)

18 Plaintiff brought a Complaint for defamation and false light against Defendant Hunter
19 Moore. Among other things, Moore falsely accused Plaintiff of serious crimes and offenses that
20 are defamatory *per se*, including pedophilia and possession of child pornography. Moore was
21 properly served with process in this case. Moore publicly acknowledged this service through his
22 Twitter account, as noted in the exhibits to Plaintiff's Application for Default Judgment. Despite
23 being properly served, Moore declined to defend this case, and default was entered against him on
24 October 24, 2012. McGibney clearly and convincingly proved that Moore's statements were false,
25 injurious, and defamatory, and filed his Application for Default Judgment on December 3, 2012.

The Court scheduled an evidentiary hearing on McGibney's Application for Default Judgment on February 27, 2013. At this hearing, the Court considered evidence in the form of sworn affidavits from Plaintiff, Professor Colleen Connolly-Ahern University, and Steven Rohr.

1 the principal of Lexicon Public Relation of Pennsylvania States in Los Angeles, California, and
2 copies of Moore's own statements, as well as evidence of the reach of Moore's false claims. Both
3 expert witnesses were communications professionals, with Ms. Connolly-Ahern focusing on the
4 academic scholarship of communication and Mr. Rohr addressing the practical harm Defendant
5 Moore's false statements caused McGibney. Mr. Rohr, being duly sworn, offered expert testimony
6 upon questioning from both Plaintiff's counsel and the Court supporting McGibney's claim that he
7 has been damaged in the amount of \$250,000.

8 Steven Rohr offered oral testimony at the February 27, 2013 hearing to expand upon the
9 issues addressed within his oral report. Specifically, Mr. Rohr testified that Mr. McGibney's
10 reputation would suffer at least \$250,000 in damage as a result of Moore's false and defamatory
11 statements and how widely they were broadcast. Particularly, Rohr testified that his estimate of the
12 life-long damage to Plaintiff's personal and professional relationship was at least \$1,000,000.

13 Plaintiff, however, stated that he requested judgment of \$250,000 as a conservative estimate
14 of his reputational and personal injuries from Moore's conduct. Although it is difficult to pinpoint
15 the precise amount of damages Plaintiff suffered, Plaintiff's affidavit, the affidavits of his experts,
16 and the oral testimony of Steven Rohr are sufficient to support a judgment of \$250,000 in
17 Plaintiff's favor against Defendant Hunter Moore.

18 Defendant's default was previously entered for his failure to answer or otherwise defend
19 Plaintiff's claims after being regularly served with the Summons and Complaint, and it appearing
20 that Defendant is not in the military service of the United States and is not an infant or incompetent
21 person, Plaintiff applied for and is granted default judgment.

22 Plaintiff previously requested \$11,581 in attorney's fees on November 29, 2012. Since
23 then, Plaintiff has incurred an additional \$8,003.00 in reasonable attorneys' fees.

24 Based upon Plaintiff's submissions to the Court, and good cause appearing therefor,
25 IT IS ORDERED that judgment is entered in Plaintiff's favor against Defendant Hunter
26 Moore in the amount of:

27 1. The principal sum of \$250,000 in damages;

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2. Interest accruing on the principal amount at the legal rate of 3.25% per month from the date of this Judgment until paid in full;
 3. Costs of the suit in the amount of \$1,588.50;
 4. \$11,581.00 in attorneys' fees as of the date of Plaintiff's application for default judgment; and
 5. \$ 0 in attorneys' fees incurred following the filing of Plaintiff's application for default judgment.
(M3)

DATED this 8th day of MARCH, 2013.

DISTRICT JUDGE

Abb 156

Submitted By:

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